

TENTATIVE RULINGS

CIVIL / FAMILY LAW CASE MANAGEMENT CALENDAR

For: 6/22/2009 Monday Dept: 1A

(Posted 6/18/09)

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Any party objecting to the tentative ruling should promptly notify the opposing party of the substance of the objection with sufficient time to allow all parties, or their attorneys of record, to appear in person or by telephone at the scheduled hearing. Absent objection, the Court routinely adopts the tentative ruling as posted. Failures to appear, absent an order to appear, are deemed consent to the tentative ruling.

1. **1:00 PM** Case: CV30407 [S] ANGELO v ELMS, ETAL
Type: CIVIL COMPLAINT Date Filed: 03/11/04
Priority Info: CONSOL W/CV30751,CV30407 LEAD
Event: COURT'S MOTION TO DISMISS CRC 3.1385

Related cases NOT on this calendar: CV30751 ,
PLNTFF: ANGELO, DARRYL R ATTY: FOLEY, LAW OFFICES OF KENNETH
PLNTFF: DAVIS SPECIAL NEEDS TRUST, KYLE J
X/COMP: ANGELO, JO ANNE ATTY: REEVE, BOB ESQ
DEFNDT: ELMS, STEVEN M ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
Service Date/Type: 03/20/04 PER Answer Date: 04/26/04
DEFNDT: ELMS, PEGGY L ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
Service Date/Type: 03/20/04 PER Answer Date: 04/26/04
DEFNDT: ANGELO, DARRYL ATTY: FOLEY, LAW OFFICES OF KENNETH
L/CLMT: CALAVERAS LUMBER CO-C/O S AIROLA

Tentative Ruling: The matter was previously noticed and set for the court's motion to dismiss pursuant to Cal. Rules of Court 3.1385. No opposition to the motion has been filed and the matter is hereby ordered dismissed with prejudice.

2. **1:00 PM** Case: CV33828 [S] CONCERNED CITIZENS... v ALL PERSONS...
Type: CIVIL COMPLAINT Date Filed: 06/21/07
At-Issue Date: 00/00/00 Trial: 08/14/08 COURT TRIAL - LONG CAUSE
Priority Info: 170.6JEM - ON APPEAL
Event: DEFENDANTS' MOTION SETTING HEARING
170.6 JEM

Related cases NOT on this calendar: CV34358 ,
PLNTFF: DOHERTY, WILLIAM ATTY: REEVE, BOB ESQ
PLNTFF: CONCERNED CITIZENS FOR RESPONSIBL ATTY: REEVE, BOB ESQ
DEFNDT: ALL PERSONS INTERESTED IN MATTER
Service Date/Type: 12/30/07 PUB 00/00/00
DEFNDT: WEST POINT FIRE PROTECTION DISTRI ATTY: NOSSAMAN LLP
Service Date/Type: 00/00/00 Answer Date: 11/09/07
DEFNDT: WEST POINT FIRE PROTECTION DIST B ATTY: NOSSAMAN LLP
Service Date/Type: 00/00/00 Answer Date: 11/09/07

Tentative Ruling: Defendant's motion for attorneys fees and costs is set for hearing in Dept. 3 at 10:30 AM on 7/20/09.

3. 1:00 PM Case: CV35028 [S] LAWSON v MARK TWAIN UNION
Type: EMINENT DOMAIN Date Filed: 08/28/08
Event: TRIAL SETTING - CIVIL

PLNTFF: LAWSON, DANIEL ATTY: FOLEY, LAW OFFICES OF KENNETH
PLNTFF: LAWSON, SHEILA ATTY: FOLEY, LAW OFFICES OF KENNETH
PLNTFF: ROGERS, JAMES ATTY: FOLEY, LAW OFFICES OF KENNETH
PLNTFF: ROGERS, STEPHANI ATTY: FOLEY, LAW OFFICES OF KENNETH
DEFNDT: MARK TWAIN UNION ELEMENTARY SCHOO ATTY: STUBBS & LEONE
Service Date/Type: 09/03/08 PER Answer Date: 10/06/08

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 6 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 5 day jury trial.

4. 1:00 PM Case: CV35061 [S] SCHROEDER v OWENS
Type: P.I. MOTOR VEHICLE Date Filed: 09/11/08
Event: TRIAL SETTING AFTER ARBITRATION

PLNTFF: SCHROEDER, CLYDE ATTY: METZINGER & ASSOCIATES
Service Date/Type: 00/00/00 Answer Date: 11/14/08
DEFNDT: OWENS, TIMOTHY J ATTY: FIELD & SANDERS
Service Date/Type: 10/31/08 SUB Answer Date: 11/14/08

Tentative Ruling: The parties have stipulated to mediate the matter. The next Case Management hearing shall be in Dept. 1A at 1:00PM on 9/21/09.

5. 1:00 PM Case: CV35476 [S] FRATES v HOEKSTRA
Type: REAL PROPERTY Date Filed: 02/13/09
Event: CASE MANAGEMENT CONFERENCE-CIVIL
Event: CONTINUED OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED

PLNTFF: FRATES, FRANK ATTY: ALLEN, JOHN B ESQ
PLNTFF: FRATES, INGRID ATTY: ALLEN, JOHN B ESQ
DEFNDT: HOEKSTRA, WALTER
DEFNDT: HOEKSTRA, MARGUERITE

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. (Receipt by attorney not sufficient) Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 9/21/09.

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6. 1:00 PM Case: CV35621 [S] EL DORADO SAVINGS v MCNAMARA
Type: CIVIL PETITION Date Filed: 04/09/09
Event: OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED
08/31/09 1:00 1A CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: EL DORADO SAVINGS BANK ATTY: HEFNER STARK & MAROIS LLP
DEFNDT: MCNAMARA, DANIEL
DEFNDT: MCNAMARA, DOROTHY

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. (Receipt by attorney insufficient and substituted service without proof of mailing) Plaintiff must file a proper Proof of Service prior to the next hearing. The OSC is continued over to the previously scheduled CMC time and date.

7. 1:00 PM Case: PR6667 [S] ESTATE OF ECK
Type: LTRS TESTAMENTARY - ATA/IAEA Date Filed: 05/10/05
Event: FURTHER CASE MANAGEMENT CONFERENCE - ANY
REMAINING ISSUES

PETNR: ECK, WAYNE ATTY: MATULICH, LAW OFFICES OF BARR
ADMIN: BERG, LISA J ATTY: WEINTRAUB GENSHEA CHEDIAK SP
RESP: WYATT, BETH J. ATTY: IN PRO PER
RESP: WYATT, TILDEN L. ATTY: IN PRO PER
RESP: HUTCHINGS, HAROLD W
RESP: HUTCHINGS, SANDRA J
DEC'D: ECK, MARTHA ROSA

Tentative Ruling: This matter is in post judgment status with no pending hearings. No further case management conferences are set.

8. **1:30 PM** Case: CV34981 [S] TATE v TATE
Type: DISSOLUTION WITHOUT MINOR CHILD Date Filed: 08/12/08
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: TATE, SUZANNE P ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
RESP: TATE, TIMOTHY M ATTY: BRADSHAW, JANET L. ESQ
Service Date/Type: 08/22/08 PER Answer Date: 09/30/08

Tentative Ruling: There are temporary support orders. The parties report discovery is ongoing. Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/21/09.

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9. 1:30 PM Case: CV35257 [S] WALKER v WALKER
Type: DISSOLUTION WITHOUT MINOR CHILD Date Filed: 11/20/08
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: WALKER, MARGARET ATTY: IN PRO PER
RESP: WALKER, MICHAEL PATRICK
Service Date/Type: 11/23/08 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 9/21/09.

10. 1:30 PM Case: CV35274 [S] WILSON v TREFETHEN
Type: ESTABLISH PARENTAL RELATIONSHIP Date Filed: 12/02/08
Priority Info: CONFIDENTIAL
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: WILSON, JEANETTE ATTY: IN PRO PER
RESP: TREFETHEN, WILLIAM ATTY: IN PRO PER
Service Date/Type: 02/05/09 PER Answer Date: 03/16/09

Tentative Ruling: Petitioner is referred to Central Sierra Child Support Agency for parentage orders. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/21/09.

11. 1:30 PM Case: CV35308 [S] STEVENS JR. v STEVENS
Type: DISSOLUTION WITHOUT MINOR CHILD Date Filed: 12/10/08
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: C13489 ,
PETNR: STEVENS, ROBERT E JR ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
RESP: STEVENS, PATRICIA C. ATTY: AIROLA & AIROLA
Service Date/Type: 12/18/08 PER Answer Date: 02/05/09

Tentative Ruling: Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/21/09.

12. 1:30 PM Case: CV35329 [S] TURNER v TURNER
Type: DISSOLUTION WITH MINOR CHILDREN Date Filed: 12/19/08
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV34300 ,
PETNR: TURNER, CORINNE ATTY: IN PRO PER
RESP: TURNER, WILLIAM

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/21/09.

13. 2:00 PM Case: CV34733 [S] POWERS v REEDER
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 05/27/08
Priority Info: CONFIDENTIAL
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV28894 ,
PETNR: POWERS, KRISTIN L ATTY: IN PRO PER
RESP: REEDER, ERIC R
Service Date/Type: 08/11/08 PER 00/00/00

Tentative Ruling: Parentage was determined 9/2/08 but there is no Judgment (FL-240/250) in the file. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 12/21/09.

14. 2:00 PM Case: CV35251 [S] BEARD v BEARD
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 11/19/08
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: BEARD, REX R. ATTY: IN PRO PER
RESP: BEARD, DELORES K. ATTY: IN PRO PER
Service Date/Type: 11/26/08 PER Answer Date: 12/10/08

Tentative Ruling: Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Thereafter, Petitioner and Respondent are ordered to serve and file Final Declarations of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/21/09.

15. 2:00 PM Case: CV35477 [S] PANZARINO v SCHMOLLINGER
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 02/17/09
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

Related cases NOT on this calendar: CV35538 ,
PETNR: PANZARINO, KRISTENN ATTY: WEISBERG, MICHAEL ESQ
RESP: SCHMOLLINGER, MICHAEL
Service Date/Type: 02/23/09 PER 00/00/00

Tentative Ruling: There is Proof of Service but no Response or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 9/21/09.

16. 2:00 PM Case: CV35488 [S] SOJA v SOJA
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 02/17/09
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: SOJA, JEANNE M. #X07206 ATTY: IN PRO PER
RESP: SOJA, FRANK J.

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/21/09.

17. 2:00 PM Case: CV35489 [S] TAYLOR v TAYLOR
Type: DISSOLUTION WITHOUT MINOR CHILD Date Filed: 02/18/09
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: TAYLOR, DAPHNE ATTY: IN PRO PER
RESP: TAYLOR, JASON
Service Date/Type: 03/03/09 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 9/21/09.

18. 2:00 PM Case: CV35495 [S] BAIRD v BAIRD
Type: LEGAL SEPARATION WITH MINOR CHILD Date Filed: 02/18/09
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

Related cases NOT on this calendar: CV31475 , CV30655 ,
PETNR: BAIRD, MICHELLE M ATTY: IN PRO PER
RESP: BAIRD, MICHAEL S
Service Date/Type: 02/21/09 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 9/21/09.

19. 2:00 PM Case: CV35499 [S] KARR v SANTOS
Type: ESTABLISH PARENTAL RELATIONSHIP Date Filed: 02/19/09
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

Related cases NOT on this calendar: CV32030 , CV32032 , CV33490 ,
PETNR: KARR, BENJAMIN ATTY: IN PRO PER
RESP: SANTOS, TANYA
Service Date/Type: 02/20/09 PER 00/00/00

Tentative Ruling: It appears reconciliation efforts have ceased. There is Proof of Service but no Response or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 9/21/09.

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20. 2:00 PM Case: CV35508 [S] COX v TAGUINOD SR
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 02/20/09
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: COX, SHELDON ATTY: IN PRO PER
RESP: TAGUINOD, ABEL SR
Service Date/Type: 04/09/09 PER 00/00/00

Tentative Ruling: There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 9/21/09.

21. **2:30 PM** Case: CV31639 [S] FOLENDORF v FOLENDORF
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 05/02/05
Priority Info: MARITAL STATUS ENDS 1/25/07
Event: SETTLEMENT CONFERENCE-FAMILY LAW
GRANT V. BARRETT, JUDGE PRO TEM

PETNR: FOLENDORF, CHERYL D ATTY: RENO, ROBIN L. ESQ
ASSOC: BORTON PETRINI LLP
RESP: FOLENDORF, TAD ATTY: ZALKIND, STEPHEN R. ESQ
Service Date/Type: 00/00/00 Answer Date: 05/18/05

Tentative Ruling: Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 9/21/09.

22. 2:30 PM Case: CV31726 [S] DRAKE v DRAKE
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 06/02/05
Event: FURTHER CASE MANAGEMENT CONFERENCE;
RETURN ON MEDIATION

PETNR: DRAKE, DANIEL E. ATTY: IN PRO PER
RESP: DRAKE, LYRA R. ATTY: IN PRO PER
Service Date/Type: 06/09/05 PER Answer Date: 06/27/05
NKA: ALMA, LYRA

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

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23. 2:30 PM Case: CV32994 [S] IMLER v IMLER
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 09/14/06
Event: CONT'D SETTLEMENT CONF/TRIAL SETTING ON
PETITIONER'S OSC RE MOD OF CUSTODY/VISIT
GRANT V. BARRETT, JUDGE PRO TEM

Related cases NOT on this calendar: SC6324 ,
PETNR: IMLER, BEVERLY ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT
MINOR: IMLER MINOR P.D.: KEENE (P.D.), PATRICK M ESQ
RESP: IMLER, ROBERT ATTY: BECHELLI, LAW OFFICES
Service Date/Type: 00/00/00 Answer Date: 10/12/06
CLAMNT: NATIONAL ELECTRICAL ANNUITY PLAN

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

24. 2:30 PM Case: CV33379 [S] SINGLETON v SINGLETON JR
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 01/30/07
Event: SETTLEMENT AND TRIAL SETTING CONFERENCE
GRANT V. BARRETT, JUDGE PRO TEM

PETNR: SINGLETON, PATRICIA M ATTY: TRIFILO, JOHN J. ESQ
RESP: SINGLETON, DONN E JR ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
Service Date/Type: 06/04/07 NAR Answer Date: 08/29/08

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

25. 2:30 PM Case: CV34754 [S] BAKER v BAKER
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 05/30/08
Event: SETTLEMENT AND TRIAL SETTING CONFERENCE
RESP'S PRESENCE WAIVED/ON PHONE STANDBY
GRANT V. BARRETT, JUDGE PRO TEM

PETNR: BAKER, CLAYTON R ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
RESP: BAKER, DENISE L ATTY: AIROLA & AIROLA
Service Date/Type: 06/16/08 PER Answer Date: 06/30/08
CLAMNT: CALPERS

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

26. 2:30 PM Case: CV35650 [S] FLORES v FLORES
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 04/22/09
Event: SETTLEMENT CONF/TRIAL SETTING BIFURCATED
CUSTODY/VISITATION; PET'S CONT'D MOTION
CHILD/SPOUSAL SPT, RETN PROP, PAYMENT DEBT

PETNR: FLORES, KRISTEN L ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
RESP: FLORES, EMERICK E ATTY: GIBSON, RICHARD JR.

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.